

MAKING PROVISION FOR GYPSY AND TRAVELLER CARAVAN SITES POLICY BACKGROUND

National policy

- A2.1. National policy on the provision of Gypsy and Travellers caravan sites is set out under the Housing Act 2004 and Government Circular 1/2006 'Planning for Gypsy and Traveller Caravan Sites'. This Circular has replaced DoE Circular 1/94 *Gypsy Sites and Planning* and provides updated guidance on the provision of sites for gypsies and travellers. It acknowledges that previous Government advice and policies (such as the repeal of the statutory duty of local authorities to provide sites for gypsies) did not achieve delivery of adequate sites for gypsies and travellers.
- A2.2. The Circular introduces a different approach to site provision following the changes brought about by the Planning and Compulsory Purchase Act 2004 and recognises that assessments (known as Gypsy and Traveller Accommodation Assessments - GTAA's) are necessary to establish the level of need for such provision. It requires that local planning authorities identify land for such sites but also encourages the role of private site provision. It also stresses the importance of a plan-led approach to site provision with clear policy guidance in development plans.

Regional Policy

- A2.3. The Draft Regional Spatial Strategy (RSS) committed the SWRA to undertake an early review of the RSS in relation to the provision for gypsy and traveller sites. It includes transitional arrangements with an indicative regional requirement for gypsy and travellers pitch numbers, but not an allocation of pitch numbers to each local authority area. It recognises that this would not be possible without the benefit of a local authority needs assessment for gypsies and travellers. The West of England GTAA is discussed in more detail in paragraphs A2.12 – A2.18 below.
- A2.4. Strategic Planning Authorities throughout the South West were invited by the Regional Assembly to provide formal advice on interim pitch numbers for the period 2006 – 2011 for their area by the end of March 2007. Formal advice on the number of additional pitches required for this period was not provided at the time by the West of England Unitary Authorities because the results of the GTAA were not going to be available until August 2007. However West of England Unitary Authorities responded to this request by providing summary data from bi-annual counts of caravans and baseline planning information.
- A2.5. The consultants undertaking the GTAA were asked to prepare interim pitch numbers from the draft GTAA specifically for inclusion in the consultation draft of the Partial Review of the RSS in respect of each of the West of England UAs for the period 2006 - 2011. These pitch numbers were incorporated into the revised draft RSS Gypsy and Travellers Policy GT1 (see Appendix 1).
- A2.6. On 13 July 2007 the SWRA agreed the revised policy and supporting text with pitch provision for gypsies and travellers for submission to the Secretary of State and for consultation with stakeholders. Consultation on the Partial Review is taking place for a 12 period between 8 August and 31 October 2007 during which time formal responses should be submitted to the Examination in Public Panel in order for it to be discussed at the Examination in Public. The proposed comments to the revised policy is set out in Appendix 4.

- A2.7. An Examination in Public into RSS Partial Review is currently scheduled to take place in February 2008. The revised Gypsy and Travellers policy will be published during 2008 as part of the final version of the RSS.

Current Local Plan Policy

- A2.8. In the absence of a Joint Replacement Structure Plan Policy on Gypsy and Travellers (following the quashing of Policy 37 in the Court of Appeal on 30 October 2003), the current planning policy for sites for Gypsies and other Travelling People is Policy HG.16 in the Bath & North East Somerset Local Plan (page 107). At present no sites are allocated for gypsy and traveller accommodation through the Bath & North East Somerset Local Plan; neither is there a policy in respect of travelling showpeople. The Council expects to adopt the Bath and North East Somerset Local Plan in October 2007 which will form part of the Local Development Framework.

Identifying Sites for Gypsy and Travellers Accommodation Needs through the Local Development Framework

- A2.9. The Partial Review of the draft Regional Spatial Strategy will identify the number of Gypsy and Traveller pitches required in Bath & North East Somerset. The accommodation requirements for gypsies and travellers and travelling showpeople is a key area to be addressed through the Core Strategy, which is part of the Local Development Framework, in order to meet the requirements of Circular 01/2006 and draft revised guidance on Travelling Showpeople. It will set out criteria for the allocation of sites gypsy and traveller site accommodation and travelling showpeople and will be used to guide the allocation of sites in the relevant development plan document.

WEST OF ENGLAND GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT

Background to the Project

- A2.10. With the quashing of the Joint Replacement Structure Plan Policy 37 Bath & North East Somerset Council resolved, in July 2004¹, that an assessment of accommodation needs of gypsies and travellers, either living in or coming to the area, should be undertaken in accordance with current Government guidance in Circular 1/94 *Gypsy Sites and Planning* to determine the extent of need for gypsy and traveller accommodation within the District. It was also recommended that consideration should be given to this assessment being undertaken jointly with neighbouring local authorities.
- A2.11 The Housing Act 2004 now requires local housing authorities to prepare a Gypsy and Travellers Accommodation Assessment. The statutory duty to undertake a formal Gypsy and Traveller Accommodation Assessment came into force on 2 January 2007 and assessments are to be completed by the end of 2007. The

¹ Annex 7 of Report to Council on 15 July 2004 "Bath & North East Somerset Local Plan including minerals & waste policies Revised Deposit Draft 2003 - Response to Representations"

definition of Gypsies and Travellers has been defined in regulations to include travelling showpeople².

A GTAA for the West of England

- A2.12. In undertaking this statutory requirement and in line with the July 2004 Council resolution, a decision was made to share expertise and resources between the four West of England unitary authorities (Bath & North East Somerset, Bristol City, North Somerset and South Gloucestershire) by carrying out the study on a sub-regional basis. This has made the project more cost effective and efficient and because of the nomadic nature of the groups involved, it was considered that it would be more likely to avoid double counting and duplication.
- A2.13. Consultants were appointed to undertake the Gypsy and Traveller Accommodation Assessment (GTAA) for the West of England. The West of England GTAA has examined the shortfall in accommodation as well as making projections of future growth in accommodation needs. It takes into account latent demand (e.g. population growth, concealed households i.e. gypsies currently in bricks and mortar). The initial focus has been on providing an assessment of accommodation needs for the period 2006 – 2011. The assessment required a face-to-face survey of a representative sample of the local Gypsy and Travellers population in the West of England. The accommodation assessment has involved Gypsies and Travellers through a Forum and by involving the local communities in the survey itself. The survey stage was completed on 25 May 2007.
- A2.14. Prior to the completion of the GTAA (mid August 2007), the consultants prepared interim pitch numbers for inclusion in the consultation draft of the Partial Review of the RSS. This initial assessment indicated a need for 18 residential pitches to be provided in Bath & North Somerset for the period 2006 - 2011. These pitch numbers were incorporated into the revised draft RSS Gypsy and Travellers Policy GT1 as set out in Appendix 1.
- A2.15. Information about the assessment methodology and details of the method of calculating the assessment of accommodation need are included in the Final Report of the West of England GTAA. It is anticipated that the Final Report will be publicly launched at an event held during September 2007.
- A2.16. The information in the Final Report has assisted Bath & North East Somerset Council in preparing comments to the Examination in Public Panel and enables the Council to provide more detailed information requested by the Regional Assembly as set out in Appendix 4.
- A2.17. As well as informing the RSS Partial Review, the West of England GTAA will inform local Gypsy and Travellers Strategies, including the relevant development plan documents being prepared as part of the West of England constituent Authorities' Local Development Frameworks.

² The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006

Key findings of the GTAA

A2.18. The GTAA Executive Summary discusses the key findings from this report and includes the pitch requirements for each of the 4 West of England UAs (Table 1ES). The Executive Summary is attached as Appendix 3.